

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGANGregory D. Harris case no. # 23-12491-FC

(Enter above the full name of the plaintiff(s), including prisoner number, in this action. If you cannot list all plaintiffs in the space provided, please write "see attached" and list all names on an additional page.)

v.

District Court Judge Ayoub; Chief prosecutor
Chris Becker; Asst. prosecutor Daniel O'Hara;
Asst. Prosecutor Smeshinger; Att. Charles M. Ayres;
Att. Andrew J. Rodenhouse; Det. Brandon Romero
Judge Paul J. Denenfeld.

(Enter above the full name of the defendant(s) in this action. If you cannot list all defendants in the space provided, please write "see attached" and list all names on an additional page.)

FILED - GRMay 5, 2025 1:22 PM
CLERK OF COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY:JMW SCANNED BY: KB 5/6**1:25-cv-515****Hala Y. Jarbou**
Chief U.S. District Judge**COMPLAINT**
(Print Clearly)**I. Previous Lawsuits**

CAUTION: The Prison Litigation Reform Act has resulted in substantial changes in the ability of incarcerated individuals to initiate lawsuits in federal courts without prepayment of the civil action filing fee. Accurate and complete responses are required concerning your litigation history. Generally, a plaintiff's failure to accurately and completely answer the questions set forth below will result in denial of the privilege of proceeding *in forma pauperis* and require you to pay the entire \$405.00 filing fee regardless of whether your complaint is dismissed.

- A. Have you ever filed a lawsuit while incarcerated or detained in any prison or jail facility? Yes ☐ No ☒
- B. If your answer to question A was yes, for each lawsuit you have filed you must answer questions 1 through 5 below. Attach additional sheets as necessary to answer questions 1 through 5 below with regard to each lawsuit.
1. Identify the court in which the lawsuit was filed. If it was a state court, identify the county in which the suit was filed. If the lawsuit was filed in federal court, identify the district within which the lawsuit was filed.

 2. Is the action still pending? Yes ☐ No ☒
 - a. If your answer was no, state precisely how the action was resolved: _____
 3. Did you appeal the decision? Yes ☐ No ☒
 4. Is the appeal still pending? Yes ☐ No ☐
 - a. If not pending, what was the decision on appeal? _____
 5. Was the previous lawsuit based upon the same or similar facts asserted in this lawsuit? Yes ☐ No ☐
 - a. If so, explain: _____

II. Parties

A. Plaintiff(s)

Enter your name, place of confinement, address, and place of confinement during the events described in the complaint in the blanks below. Provide the same information for any additional plaintiffs. Attach extra sheets as necessary.

Name of Plaintiff Greggory D. Harris
 Place of Present Confinement Kent County Correctional Facility
 Address 703 Ball Ave. NE, Grand Rapids, MI. 49503
 Place of Confinement During Events Described in Complaint Kent County Correctional Facility

B. Defendant(s)

Complete the information requested below for each defendant in this action, including whether you are suing each defendant in an official and/or personal capacity. Provide the same information for each additional defendant. If there are more than six defendants attach extra sheets as necessary.

Name of Defendant #1 Judge Ayoub
 Position or Title District Court Judge
 Place of Employment Kent County Court House
 Address 180 OTTAWA AVE. N.W., STE 2400 Grand Rapids, MI. 49503
 Official and/or personal capacity? Both

Name of Defendant #2 Daniel O'Hara
 Position or Title Assistant Prosecutor at Prelim. Exam.
 Place of Employment Kent County Court House
 Address 180 OTTAWA AVE. N.W., STE 2400 Grand Rapids, MI. 49503
 Official and/or personal capacity? Both.

Name of Defendant #3 Prosecutor Smeshinger
 Position or Title Assistant Prosecutor (via) trial court
 Place of Employment Kent County Court House
 Address 180 OTTAWA AVE. N.W., STE 2400 Grand Rapids, MI. 49503
 Official and/or personal capacity? Both.

Name of Defendant #4 Charles M. Ayres
 Position or Title Attorney
 Place of Employment Client - Focused legal Representation
 Address 110 W. Colby Street Whitehall, Mich. 49461
 Official and/or personal capacity? Both

Name of Defendant #5 Andrew J. Rodenthouse
 Position or Title Attorney
 Place of Employment Rodenthouse Law Group
 Address 678 Front Ave., NW Suite 176 Grand Rapids, MI. 49503
 Official and/or personal capacity? Both

B. Defendants (Continued.) pg. 2

Name of Defendant #6 Brandon Romero
Position or Title Detective Division
Place of Employment Grand Rapids, Detective Division
Address Grand Rapids Police Department
Official and/or Personal Capacity? Both.

Name of Defendant #7 Christopher R. Becker
Position or Title Chief Prosecutor
Place of Employment Kent County Prosecutor's Office
Address 82 Ionia Ave. NW, Suite 450 Grand Rapids, MI 49503
Official and/or Personal Capacity? Both.

Name of Defendant #8 Paul J. Denenfeld
Position or Title Circuit Court Judge
Place of Employment Kent County Courthouse
Address 180 Ottawa Ave, NW, STE 2400 Grand Rapids, MI 49503
Official and/or Personal Capacity? Both

III. Statement of Claim

State here the **facts** of your case. Describe how each defendant is personally involved. Include also the names of other persons involved, dates and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. **Do not include unrelated claims.** Use as much space as you need. Attach extra sheets if necessary.

On October 3, 2023, I was arrested on an unrelated matter. on October 11, 2023, I was charged/Arraigned on open murder. on December 1, 2023, I enter District Court of Judge Ayoub, For Prelim. Examination. The Prosecutor(then) was Daniel O'Hara, I was re-presented/appointed Counselor Charles M. Ayres, Prosecutor O'Hara and lead detective Brandon Romero, offered as evidence against me "False/Perjuried testimony" in the Form of (main) witness "Michael Donell James."

Mr. James, alleged in testimony he had personally witnessed me Stab(allege) victim (Larone Crenshaw) in the chest after a brief altercation with him, had been broken-up by on lookers in the middle of Division Street SW. and Sutton Street SW. Burton heights area. This was "False/Perjuried testimony" which Prosecutor O'Hara, and lead detective Romero, knows was not true! Based upon the prior Police-Statement of Mr. James, conducted by detective Romero, and the video Footage of the incident scene disproving Mr. James' physical presence.

(First Claim) my(then) Attorney Mr. Ayres, With-held this impeachment evidence For trial (he claimed) which seriously prejudiced my Prelim. Examination(hearing) depriving me of a fair and impartial hearing. So District Court Judge Ayoub relied on this "False/Perjuried testimony" to determine that a Felony was committed by me. Mr. Michael Donell James, was (ironically) declared unavailable as a witness For my trial February 3-7, 2025 So the With-held impeachment evidence by attorney Mr. Ayres, was "never!" offered by my (then) newly appointed Attorney Mr. Andrew J. Rodenthouse, appointed

III. Statement of Claim (continued) p. 2

on/about April, 2024 (in replacement) and in response to grievance I Filed on (Former) Attorney Charles M. Ayres, For "legal malpractice."

(First Claim) Attorney RodentHouse also (via) my jury trial Fail to offer the With-held impeachment evidence against Mr. Micheal Donell James.

(Second claim) nor did Attorney RodentHouse, Cross-examine lead detective Romero, which deprived me of my 6th Amend. Right to Confrontation Clause, wherein detective Romero, Would've been obligated to disclose the truth that Mr. James, was a False witness being used by Prosecution to manufacture "Probable Cause" against me.

Please! be advised during these legal proceedings Prelim. Examination December 1, 2023. And my (Actual) trial February 3-7, 2025. Prosecutor Smeshinger, had replaced Prosecutor O'Hara as trial prosecutor! nevertheless, (both!) were aware of there "affirmative duty" to me under the 14th amendment, Regarding there knowing use of "Perjuried testimony" they offered to District Court Judge Ayoub and trial Court Judge Denenfeld, deprive me of my constitutional due Process rights.

Please! be advised trial Judge Paul J. Denenfeld knowingly and intentionally violated my due process rights, when he re-scheduled my original november 18, 2024, trial date back (75) days to February 3, 2025. To allow a civil law Suit Case to have Preference over my (Alleged)

Second-degree Murder Case.

(Second Claim) Please! be advised (moreover) I have never received "Proper Corrective Judicial Remedy For due process violations stemming From my Prelim. Examination OF (Former) Attorney Charles M. Ayres.

(Third Claim) Nor have I ever received "Proper Corrective Judicial Remedy" From my trial Attorney Andrew J. Rodenhouse, wherein both appointed Attorneys violated my 6th Amend. Right by allowing "False/ Perjured testimony" OF (main) witness For Prosecution (Michael D. James). From Prelim. Exam. and trial.

Wherein, Defendants at all times acting under color OF State law when they knowingly, intentionally and purposely violated my 4th 6th and 14th constitutional Amend. Rights.

These defendants were also in sufficient and culpable state OF Mind while deliberately violating said rights. I am (now!) deeply experiencing severe depression and mental anguish while being made to (unjustly) languish within my deprivations, Stripped of my liberty without due process.

I experience horrible nightmares OF being unjustly imprisoned (most nights) never to be released and the thought OF it is extremely terrifying. I have developed shoulder and back problems and my prostate is malfunctioning

III. statement of claim (continued) pg 11

All problematic of the emotional, mental and psychological stress this wrongful incarceration has wrought upon me.

IV. Relief

State briefly and precisely what you want the court to do for you.

I seek Relief From any unjust judgment where its clearly demonstrated that Fraud was perpetrated upon the court by the prosecution's Flagrant Constitutional violations. Also I seek Just Financial/Monetary award For all of the unjust injury I've suffered, an monetary award totally equivalent to prior case awards, would be right and exact.

V. Notice to Plaintiff Regarding Consent

In accordance with the provisions of 28 U.S.C. § 636(c) and Federal Rule of Civil Procedure 73, you are hereby notified that the United States magistrate judges of this district court may, upon your consent, conduct any or all proceedings in this case, including a jury trial and entry of a final judgment. If you consent, any appeal from a judgment entered by a magistrate judge shall be taken directly to the United States Court of Appeals for this judicial circuit in the same manner as an appeal from any other judgment of a district court.

Magistrate judges have greater flexibility in their schedules than district judges, who have heavy criminal caseloads that take priority over civil trials. Accordingly, the magistrate judges are generally able to schedule prisoner civil rights cases for jury trial much sooner, and they are able to provide firm trial dates. Magistrate judges are experienced trial judges who handle a great number of prisoner civil rights cases.

Your decision to consent to the dispositive jurisdiction of a United States magistrate is entirely voluntary. If you do not consent to a magistrate judge, the case will be randomly assigned to a district judge. The magistrate judge already assigned to this case would continue to decide all pretrial matters and would handle all dispositive motions by report and recommendation.

Please check **ONE** box below to indicate whether you voluntarily consent to proceed with a United States magistrate judge or if you would instead prefer that the case be assigned to a district judge.

☐ I hereby voluntarily consent to the United States magistrate judge conducting all proceedings in this case, including entry of a final judgment and all post-judgment matters.

☒ I request that this case be assigned to a district judge.

4/30/2025
Date

Gregory D. Harris
Signature of Plaintiff

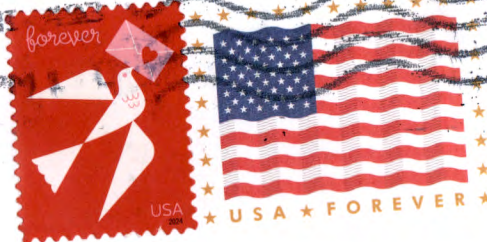
NOTICE TO PLAINTIFF(S)

The failure of a *pro se* litigant to keep the court apprised of an address change may be considered cause for dismissal.

Greggory D. Harris
Name
Kent County Correctional Facility
703 Ball Ave NE
Grand Rapids MI 49503

GRAND RAPIDS MI

2 MAY 2025



Office of The Clerk
United States District Court
399 Federal Building
110 Michigan St. N.W.
Grand Rapids, MI. 49503-2363

49503-236399

